Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date: 03/12/11	Bureau/Station/Facility: Region II/Century Station	Admin. Invest.? ☐ Hit? ☒

Incident Information

URN: 011-03897-2142-013	Date: 03/12/11 Time: 0252
City or Station: Los Angeles	Nature of Incident: Deputy Rubalcaba fired 13 rounds at the suspect after he pointed a replica handgun at him.
Location: [redacted] E. El Segundo Boulevard	

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, (Street) [circled], Other: ______

Lighting (*circle only one*): Darkness, Daylight, Other, (Street Lights) [circled]

Weather (*circle only one*): (Clear) [circled], Cloudy, Fog, Rain

Distance: 25 Feet

Incident Type (*circle one or more*): Accidental, (Armed Person) [circled], (Fleeing Suspect) [circled], Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, (Vehicle Pursuit) [circled], Warrant Service, Warning Shot, Other: ______

Initiated by (*circle only one*): Arrest Warrant, Call, (Observation) [circled], One Person Unit, Other, Search Warrant, (Two Person Unit) [circled]

Prior Activity (*circle only one*): Detective, Inmate Transport, Other, (Routine Patrol) [circled]

Aero Unit? ☒ Canine Unit? ☐

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
13	0

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	Boardman	James	D.	(EM) [circled] PM Day	(Regular) [circled] Overtime Off Duty
[redacted]	Molinar	Henry	L.	(EM) [circled] PM Day	(Regular) [circled] Overtime Off Duty
[redacted]	Gomez	Randy	P.	(EM) [circled] PM Day	(Regular) [circled] Overtime Off Duty

Non-Employee Witnesses

Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*)
[redacted]	[redacted]	[redacted]	[redacted]	(On Duty) [circled], Present during shooting, Witness to shooting, Involved in shooting
				On Duty, Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Shigo	Paul	L.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Clay	Victor	A.

PSTD Use Only

SH # 2284262

Officer Involved Shooting

URN: 011-03897-2142-013

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
03/12/11	0515	05/09/12	

Employee #	Last Name	First Name	M.I
[redacted]	Cullins	Dondra	D.
[redacted]	Denison	Trent	A.
[redacted]	Ault	Alicia	E.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	FO	ZZ	WW			NN	
E#1	S#1	FH	BR	9	Y	Y	NN	

Officer Involved Shooting
Involved Employee Information

URN: 011-03897-2142-013

Involved Employee

E 1

Employee # [redacted]	Last Name Rubalcaba	First Name Richard	M.I. J.
Sex: M Race: H	Rank Deputy	Unit Assignment: Century Station	Work Assignment (Unit #, Module, etc.): 213F
ShiftTime (*circle only one*): **EM** PM Day	ShiftType (*circle only one*): **Regular** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # — Interviewed? ☒
Hrs of sleep prior to shooting: Unknown	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, **Uniform w/ Vest**	Other Factors:
Age: [redacted]	Height: 510	Weight: 250	
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit [redacted]	Prior Shootings? [redacted] — Number of Prior Shootings: [redacted] — Directed Force: [redacted]
Weapons Fired Brand: Beretta	Caliber 9mm	# Shots 13	Weapons Fired Brand: — Caliber — # Shots
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # — Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age:	Height:	Weight:	
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ — Number of Prior Shootings: — Directed Force: ☐
Weapons Fired Brand:	Caliber	# Shots	Weapons Fired Brand: — Caliber — # Shots
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # — Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age:	Height:	Weight:	
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ — Number of Prior Shootings: — Directed Force: ☐
Weapons Fired Brand:	Caliber	# Shots	Weapons Fired Brand: — Caliber — # Shots
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

See Other Side

Officer Involved Shooting Suspect Information

Suspect Information

S 1			
Last Name: Ford		First Name: Justin	M.I.: C.
AKA Last Name:		First Name:	M.I.:
Sex: M Race: B	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 24 D.O.B. 03/17/87	Height: 5'08 Weight: 160	FBI #: [redacted]	CII #: [redacted]
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☒	Coroner Case #: 2011-01810	Intoxication/Drug Usage? ☒	Substance Used: Alcohol
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? ☐
Vehicle Make: Suzuki		Model: GSXR	Year: 1995

S __			
Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S __			
Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S __			
Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT: **On-Duty Hit Shooting**

IAB FILE NUMBER(S): **SH2284262**

URN#: **011-038797-2142-013**

DATE /TIME: **Saturday, March 12, 2011**

LOCATION: [redacted] **West El Segundo Boulevard**

Opening Statement

On Saturday, March 12, 2011, Sergeants Dondra Cullins and Trent Denison of the Los Angeles County Sheriff's Department Internal Affairs Bureau responded to [redacted] West El Segundo Boulevard, Los Angeles regarding an on-duty hit shooting which resulted in the death of Suspect Justin Clay Ford. Internal Affairs Bureau Lieutenant Alicia Ault also responded. Attorney Bita Shasty of the Office of Independent Review was notified and responded to the scene.

Synopsis

On Saturday, March 12, 2011, Deputy Richard Rubalcaba # [redacted] and James Boardman # [redacted] were working together as unit 213F out of Century Sheriff Station. They were on routine patrol when they observed a California Highway Patrol (CHP) unit stopped on El Segundo Boulevard and Central Avenue, Los Angeles with its amber lights activated. Deputies Rubalcaba and Boardman stopped their vehicle to check on the welfare of the CHP officers, who were later identified as [redacted] and [redacted], unit [redacted] (refer to page 4 of **[Exhibit A]** for further).

As they were speaking with the CHP officers, a male riding a motorcycle drove up. The CHP officers identified the male (Suspect) on the motorcycle as the person who was in possession of a gun from an earlier incident. The CHP Officers ordered the suspect to show his hands; however, the suspect reached to the small of his back with his right hand. The suspect then fled southbound on Central Avenue.

Deputies Rubalcaba and Boardman went in pursuit of the suspect with CHP following them. Deputy Rubalcaba broadcast they were in pursuit of a motorcyclist who was possibly in possession of a gun. The pursuit went southbound on Central Avenue to

eastbound 134th Street to northbound Parmalee Avenue, then westbound on 133rd Street. The suspect went northbound on Central Avenue and entered the 105 freeway. As the pursuit entered the 105 freeway, it was canceled by Century Station Watch Commander, Lieutenant Victor Clay #[redacted] During the pursuit, the speeds varied from 20 MPH on residential streets to 60 MPH on Central Avenue (refer to the radio traffic **[Exhibit B]**).

Deputies Rubalcaba and Boardman continued west on the 105 freeway monitoring the lone CHP unit who continued in the pursuit. They lost sight of the pursuit and exited the freeway on Hawthorne Boulevard. A short time later, they met up again with the CHP officers, who had also lost the suspect. At that time they learned the suspect had brandished a firearm at a tow truck driver at Central Avenue and Imperial Highway.

Deputies Boardman and Rubalcaba met with Sergeant [redacted] #[redacted] unit [redacted] and other units from Century Station to debrief. At the debriefing they passed on the additional information they learned from CHP regarding the suspect. As they debriefed, the suspect drove up again on his motorcycle stopping in the southbound lanes of Central Avenue just before El Segundo Boulevard. The suspect was yelling to the deputies that they need to drive faster. Deputy Rubalcaba identified the suspect to the other deputies and began to approach him with his gun out. Sergeant [redacted] also made an approach with Deputy Rubalcaba. While approaching the suspect, Deputy Rubalcaba was giving him commands to show his hands.

The suspect drove away southbound on Central Avenue. Deputies Rubalcaba and Boardman remained in the area of Central and El Segundo believing the suspect would make his way back to that location. Sergeant [redacted] notified the watch commander of the additional information and the watch commander authorized the units to go in pursuit of the suspect if he failed to yield on a traffic stop.

The suspect returned to El Segundo and Central Avenue. Deputy Rubalcaba initiated another pursuit with the suspect. Sergeant [redacted] along with Deputies Randy Gomez #[redacted] and Henry Molinar #[redacted] unit 214H joined the pursuit. The pursuit went west on El Segundo Boulevard. The suspect speed was estimated to be 80 MPH. Air 24 with Deputies Russell Helbing #[redacted] and David MacNair #[redacted], were overhead calling the pursuit.

> **IAB Note:** Both pursuits were reviewed by Lieutenant Jeffery Perry of Century Station. Refer to the pursuit evaluation forms **[Exhibit C]**.

The pursuit terminated near [redacted] El Segundo Boulevard when the suspect downed his motorcycle. Deputy Rubalcaba and Boardman stopped their patrol vehicle about 25 feet away from the suspect and detained him at gun point. The suspect was retreating backwards from them while removing his helmet and gloves. Deputies Rubalcaba and Boardman maintained their distance as they advanced toward the suspect. The suspect reached into his rear waistband with his right hand and produced a handgun. Fearing for his life and the life of his partner, Deputy Rubalcaba fired several rounds at the

suspect. It appeared to him the suspect was not struck and was still moving, so Deputy Rubalcaba fired several more rounds until the suspect went to the ground.

The suspect was treated at the scene by personnel from Los Angeles City Fire Rescue 64. He was pronounced dead at 0314 by Los Angeles City Paramedic Bragg.

A note was found on the suspect indicating his intentions to commit suicide (refer to pages 94-97 of **[Exhibit A]**. Subsequent investigation by Homicide investigators discovered a video made by the suspect where he outlined his plans to have law enforcement shoot him (refer to the video contained on the compact disc **[Exhibit D].**

On October 4, 2011, the Justice System Integrity Division (JSID) of the Los Angeles County District Attorney's issued a letter of opinion regarding the shooting. It was the conclusion of JSID that Deputy Richard Rubalcaba acted in lawful self-defense and in defense of his partner Deputy James Boardman. Their conclusion is contained in the letter **[Exhibit E].**

Involved Personnel

Richard J. Rubalcaba #[redacted]
FOR II/ Century Station

Work History

Date of Employment:	06/13/1997
Date Assigned to Patrol:	[redacted]
Date Completed Patrol Training:	[redacted]
Date Assigned to Station:	11/18/2007
Prior Shooting Incident(s):	[redacted]
Prior Founded Force:	[redacted]

Suspects

Ford, Justin Cary MB/24, DOB 03-17-1987
Deceased
Coroner's Case Number 2011-01810

Injuries

Suspect Ford sustained two (2) fatal and one (1) non-fatal gunshot wounds to his chest, three (3) non-fatal wounds to his left arm, two (2) non-fatal wounds to his right arm, one (1) non-fatal wound to his back, and one (1) non-fatal wound his right leg. Refer to page 142 of **[Exhibit A].**

No deputies were injured in this incident.

Physical Evidence

All physical evidence was located and collected by Homicide Investigators, Sergeants Chris Bergner #[redacted] and William Marsh #[redacted]. They were assisted Forensic Identification Specialists David Alonso #[redacted] and David Ozeta #[redacted] and Firearms Examiner April Wong #[redacted] of Scientific Services Bureau. For descriptions of the evidence collected and where it was collected, see the Homicide Investigation Book **[Exhibit A]** pages 45-51.

Investigators Observations

The scene is described in detail by Homicide investigators, Sergeants Chris Bergner #[redacted] and William Marsh #[redacted]. There description of the scene is consistent with IAB Investigators observations. Refer to pages 52-60 of **[Exhibit A]**. The scene was also photographed by Scientific Services. Refer to the compact disc and thumb nail photos under **[Exhibit F].**

Weapons used by Deputy

Deputy Rubalcaba fired Thirteen (13) rounds of Department issued 9mm ammunition from his Department issued Beretta 92F, semiautomatic pistol. The weapon was examined by Scientific Services Firearms Identification Unit and found to be functional (page 87 **[Exhibit A]**).

Nine (9) fired bullets and thirteen (13) expended casings were recovered at the scene (pages 85-**86 [Exhibit A]**). One (1) bullet was recovered from the body of Justin Ford (page 147 **[Exhibit A]**).

Date last qualified: [redacted]
Date last trained with weapon: [redacted]

Weapon used by Suspect

Suspect Ford produced a silver and black plastic replica handgun.

Property Damage

A shattered driver's window and bullet strike to the driver's door were found on a 1995 Honda Civic (CA. License [redacted]) that was parked along the south curb line of El Segundo Boulevard. A bullet strike was also found to the front bumper, the radiator and along the driver's side of a 1997 Chevrolet Cavalier LS (CA. License [redacted]) that was parked along the south curb line. Refer to pages 56-57 of **[Exhibit A]** for further.

Criminal Investigator

The criminal investigation was handled by Sergeants Shannon Laren #[redacted] and Shaun McCarthy #[redacted] of the Los Angeles County Sheriff's Department Homicide Bureau.

Lighting and Weather Conditions

The shooting occurred during night time hours. The scene was dark, but illuminated by street lights. The weather was clear and cold.

IAB Interviews

Deputy Henry Molinar #[redacted]

On March 12, 2012, Homicide Investigators, Sergeant Shannon Laren and Shaun McCarthy, interviewed Deputy Molinar at Century Station. His Homicide interview is summarized on pages 69-70 of **[Exhibit A].**

On Monday, April 9, 2012, IAB Investigators, Sergeants Victor Allen and Chad Smeltzer, interviewed Deputy Molinar at Internal Affairs Bureau. The following is a summary of his interviews.

Deputy Molinar said he was not involved in the initial pursuit with the motorcyclist. He said the pursuit was canceled prior to his arrival. After the initial pursuit, he met Deputies Rubalcaba and Boardman on the corner of Central Avenue and El Segundo Boulevard to debrief. Deputy Rubalcaba was explaining the circumstances that led to the pursuit, when the suspect returned to the scene. Deputy Molinar heard Deputy Rubalcaba say, "I think that's the guy," referring to the suspect. Deputy Molinar said the suspect was raising his arms in the air taunting them. He said he saw Deputy Rubalcaba approaching the suspect while giving him commands to get off the bike. Deputy Molinar said he followed Deputy Rubalcaba to provide back-up for him. As he made his approach, Deputy Molinar said he did not draw his weapon at that time because he could see the suspect's hands, he did not see a weapon, and the suspect did not reach for anything. He said he advanced about 10-15 feet before the suspect drove off. He was about 30-35 feet away from the suspect at the time.

Deputy Molinar said he drove south on Central Avenue in the direction of the suspect. He said there were two radio cars in front of him and the suspect was about a half a block in front of them. Deputy Molinar said he heard the suspect's location being updated on the radio as they communicated on L-Tac. He said he saw Deputy Rubalcaba make a U-turn at Central Avenue and El Segundo Boulevard and he pulled in behind them. The suspect drove passed them going westbound on El Segundo Boulevard and Deputy Rubalcaba initiated a pursuit.

Deputy Molinar said he joined the pursuit behind Sergeant [redacted] He said he was about a block and a half behind Deputy Rubalcaba's car and about 3 blocks behind the suspect. Deputy Molinar estimated his speed to be between 50-60 MPH. He said the suspect was pulling away from them. He could see the suspect driving westbound in the eastbound lanes of El Segundo Boulevard.

Deputy Molinar said as he pulled up to the termination of the pursuit, Deputies Rubalcaba and Boardman were exiting their radio car. He heard Deputy Rubalcaba giving the suspect commands to show his hands. Deputy Molinar said he was at an angle off-set behind Deputy Rubalcaba next to Deputy Boardman. The suspect was raising and lowering his hands. He saw the suspect's hands disappear near his waistband and then heard shooting. Deputy Molinar said he approached the suspect, providing cover while the suspect was handcuffed.

Deputy Randy Gomez #[redacted]

On March 12, 2012, Homicide Investigators, Sergeant Shannon Laren and Shaun McCarthy, interviewed Deputy Gomez at Century Station. His Homicide interview is summarized on pages 70-72 of **[Exhibit A].**

On Monday, April 9, 2012, IAB Investigators, Sergeants Victor Allen and Chad Smeltzer, interviewed Deputy Gomez at Internal Affairs Bureau. The following is a summary of his interviews.

Deputy Gomez said he was at a debriefing on the corner of El Segundo and Central Avenue regarding an earlier pursuit. During the debriefing, Deputy Gomez said the suspect from the earlier pursuit showed up at the location. The suspect was yelling something like "bring it on." He said the suspect drove southbound toward 135th street. Deputy Gomez said he stayed at Central Ave and El Segundo Boulevard. He believed the path of the suspect was being broadcast by the aero unit that was over head.

Deputy Gomez said he joined in pursuit of the suspect on El Segundo Boulevard. He was either the second or third car in the pursuit. He said the suspect was going over 70 MPH. He said he did not recall their speed, but said they were far behind the suspect. At the termination of the pursuit, Deputy Gomez said his partner, Deputy Molinar, positioned their radio car to the right of Deputies Rubalcaba and Boardman's car. Deputy Gomez said he was first to exit their car and he positioned himself to the rear and was off-set to Deputy Rubalcaba as they approached the suspect. Deputy Gomez said he was trying to catch up to Deputy Rubalcaba to get parallel with him and detain the suspect at gunpoint.

Deputy Gomez said the suspect was flailing his arms and reaching toward his waistband as Deputy Rubalcaba was giving the suspect commands to put his hands up. Deputy Gomez said the suspect placed his hands toward the back of his waist and it

appeared he was going to pull a gun when Deputy Rubalcaba fired. He said he did not fire his weapon because of a potential crossfire with Deputy Rubalcaba.

Sergeant [redacted]

On Monday, April 16, 2012, IAB Investigators, Sergeants Victor Allen and Chad Smeltzer, interviewed Sergeant [redacted] at Internal Affairs Bureau. The following is a summary of his interviews.

On Saturday, March 12, 2011, Sergeants [redacted] stated he was working unit [redacted] out of Century Station. His area included the Willowbrook and Athens areas of the station's patrol area. Sergeant [redacted] stated he was responding to the initial pursuit that was initiated by Deputies Boardman and Rubalcaba. Prior to his arrival, the pursuit was cancelled by the watch commander.

After the cancellation of the pursuit, Sergeant [redacted] said he met several of the field units for a debriefing. They met on the northeast corner of Central Avenue and El Segundo Boulevard. During the debriefing, Sergeant [redacted] said the suspect from the first pursuit returned to the location. He stopped in the street revving his engine. Sergeant [redacted] said Deputies Boardman and Rubalcaba identified him as the suspect.

Sergeant [redacted] said at that time he felt he had two options, either retreat back to their radio cars for cover or make an approach. He said because the suspect was only a couple of traffic lanes away and his hands were in plain view, he decided to make an approach with a couple of deputies. He said they would have had to retreat about the same distance to make it to cover at their radio cars. Sergeant [redacted] said they were at the apron of the sidewalk and he estimated they were about 30 feet from the suspect. He said they advanced to the gutter when the suspect drove off.

Sergeant [redacted] said the information was immediately broadcast over the radio and an air ship was requested. He also said he called the watch commander and advised him of the information he learned during the debriefing. He said he told the watch commander he learned from CHP that the suspect had brandished a gun at a tow truck driver on the corner of Central Avenue and Imperial Highway and was now an assault with a deadly weapon suspect. Sergeant [redacted] said the watch commander authorized them to attempt a traffic stop and to go into pursuit if he failed to yield (refer to page 6 of Sergeant [redacted] transcript).

Sergeant [redacted] said he waited at the corner for the suspect to return. When the suspect returned, Sergeant [redacted] said he told the deputies to stop him. He said Deputies Rubalcaba and Boardman were the first deputies out of the parking lot and he followed them. They initiated a traffic stop and the suspect failed to yield. Sergeant [redacted] said an air ship was over head and they broadcast they were in pursuit. He said the pursuit went westbound on El Segundo Boulevard.

Sergeant [redacted] said the speed of the pursuit was not excessive, but he did not recall how fast they were going. He said the suspect ran a couple of red lights, but there was little to no traffic on the roadway. He said he felt the suspect presented a "clear and present danger" to the community. He based this on the fact the suspect had pointed a firearm at a citizen, he confronted the CHP officers and returned the scene of the first pursuit (refer to page 8 of Sergeant [redacted] transcript).

Sergeant [redacted] said he was not at the scene when the pursuit terminated. He said he was slowed down by some red lights. He monitored the pursuit over the radio and heard the suspect had either laid the bike down or dumped it. Sergeant [redacted] said he arrived after the shooting occurred.

Deputy James Boardman #[redacted]

On March 12, 2012, Homicide Investigators, Sergeant Shannon Laren and Shaun McCarthy, interviewed Deputy Boardman at Century Station. His Homicide interview is summarized on pages 72-74 of **[Exhibit A].**

On Monday, April 9, 2012, IAB Investigators, Sergeants Victor Allen and Chad Smeltzer, interviewed Deputy Boardman at Internal Affairs Bureau. The following is a summary of his interviews.

Deputy Boardman said he was working with Deputy Rubalcaba in two man unit. He was the driver and Deputy Rubalcaba the bookman. On Central Avenue at El Segundo Boulevard, they saw a California Highway Patrol (CHP) unit stopped with its amber lights activated. They stopped to check to see if the officers were o.k. While checking on the officers, a motorcyclist drove up. One of the CHP officers said, "Hey, is that the guy with the gun?" The officer ordered the motorcyclist to show his hands. Deputy Boardman said the motorcyclist (Suspect Ford) fled southbound on Central Avenue.

Deputy Boardman said they went in pursuit of the suspect. They were the lead car in the pursuit with the CHP officers following them. His partner Deputy Rubalcaba advised over the radio they were in pursuit of a possible person with a gun. The pursuit went southbound on Central Avenue to eastbound 134th Street to northbound Parmalee Avenue, then westbound on 133rd Street. The suspect went northbound on Central Avenue and entered the 105 freeway. Deputy Boardman said the pursuit was cancelled as they were on the onramp to the westbound 105 freeway by the Watch Commander. The speed of the pursuit was about 70-75 MPH. When the pursuit was cancelled, Deputy Boardman said they slowed to about 65 MPH and the CHP unit continued passed them. They continued down the freeway at distance until they lost sight of them. Deputy Boardman said they exited the freeway somewhere in the Lennox area.

Deputy Boardman said they contacted the CHP officers and learned the suspect had pointed a gun at a tow truck driver earlier. They went back to Central Avenue and El Segundo Boulevard to debrief their units. During the briefing, Deputy Boardman said the suspect drove up, and then drove away. Deputy Boardman said he went to his patrol

car and waited. He said the suspect's direction of travel was being broadcast by an air unit. The suspect was taking the same route he took during the initial pursuit, so he waited at Central Avenue and El Segundo Boulevard.

Deputy Boardman said the suspect drove passed them going westbound on El Segundo Boulevard. He said they initiated a second pursuit of the suspect. As the pursuit continued west on El Segundo Boulevard, Deputy Boardman said the speeds varied. He said he did not recall the speeds, but said it fluctuated as the suspect would speed up or slowdown abruptly.

When the pursuit reached El Segundo Boulevard at Athens Way, Deputy Boardman said it looked as though the suspect was going jump off his motorcycle. Deputy Boardman said he was going to try and apprehend the suspect. He said he had his door opened, was putting the car into park and was going to jump out and go in foot pursuit of the suspect. However, the suspect began to accelerate. Deputy Boardman said he also accelerated and the suspect abruptly applied his brakes causing his rear tire to strike the door of his radio car (Refer to pages 9-11 of Deputy Boardman's IAB interview).

After the collision, Deputy Boardman said the suspect drove off again. He said the pursuit ended west of the 110 freeway. He said the suspect's motorcycle was slowing down and the suspect had his hands in the air. The motorcycle began to wobble and then fell to the ground. Deputy Boardman said the suspect looked in their direction and began to remove his gloves throwing them to the ground. He said the suspect clinched hands together like he wanted to fight.

Deputy Boardman said he and Deputy Rubalcaba approached the suspect in a "V" configuration, with the suspect being at the point of the "V". They were about 15 feet away from the suspect. The suspect was in the street backing away from them. Deputy Boardman said he was walking next to the cars parked along the south curb line of El Segundo Boulevard. Deputy Boardman said he did not utilize the parked cars for cover because it would have allowed the suspect to also conceal himself behind the cars (Refer to page 17 of Deputy Boardman's IAB interview). He said they were both giving the suspect commands initially to see his hands and to get on the ground.

Deputy Boardman said he stopped giving commands when he saw that the suspect was focused on Deputy Rubalcaba. Deputy Boardman said he decided to holster his weapon with the intent of running toward the suspect to tackle him and grab his hands (Refer to pages 12-14 of Deputy Boardman's IAB interview). As he was holstering his weapon, Deputy Boardman said the suspect reached back with his right hand and he pulled out a gun. As the suspect began pointing outward, Deputy Rubalcaba fired his weapon. After the shooting, Deputy Boardman said he approached the suspect, took control of his hands and retrieved the weapon from his hand. (Refer to page 15 of Deputy Boardman's IAB).

IAB Note: The gun depicted in the photo **[Exhibit G]** was identified by Deputy Boardman as the weapon he removed from the suspect.

INVOLVED PERSONNEL

Deputy Richard Rubalcaba #[redacted]

On March 12, 2012, Homicide Investigators, Sergeant Shannon Laren and Shaun McCarthy, interviewed Deputy Rubalcaba at Century Station. His Homicide interview is summarized on pages 62-65 of **[Exhibit A].**

On Monday, April 9, 2012, IAB Investigators, Sergeants Victor Allen and Chad Smeltzer, interviewed Deputy Rubalcaba at Internal Affairs Bureau. The following is a summary of his interviews.

Deputy Rubalcaba said he was a passenger in the radio car being driven by his partner, Deputy Boardman. On El Segundo Boulevard and Central Avenue they saw a CHP unit stopped with its amber light on. He said they stopped to check on the officers' welfare. As they spoke to the CHP officers, Deputy Rubalcaba said a male riding a motorcycle drove up. Deputy Rubalcaba said the CHP officers recognized the male (Suspect) on the motorcycle being a person with a gun. He said they quickly exited their patrol vehicle, drew his weapon and he took a position behind the trunk of his car.

Deputy Rubalcaba said the CHP officers were giving the suspect commands to put his hands up. Deputy Rubalcaba said the suspect put his hand behind his back, paused, then drove away southbound on Central Avenue. Deputy Rubalcaba said he entered his vehicle, initiated a pursuit of a possible person with a gun and requested an airship. Deputy Rubalcaba said the pursuit went southbound on Central Avenue to eastbound 134th Street to northbound Parmalee Avenue, then west bound on 133rd Street. The suspect went northbound on Central Avenue and entered the 105 freeway. As they were going on the freeway, Deputy Rubalcaba said the pursuit was canceled by the watch commander.

Deputy Rubalcaba said they continued to follow the lone CHP unit that continued in the pursuit. Deputy Rubalcaba said he contacted his desk on L-Tac to determine if he should continue with the CHP unit. He did not recall if he received a response. They continued westbound on the 105 freeway and exited at Hawthorne Boulevard. Deputy Rubalcaba said they met again with the CHP unit. It was at that time Deputy Rubalcaba said he learned the suspect had pointed a gun at a tow truck driver.

Deputy Rubalcaba said they returned to Central Avenue and El Segundo Boulevard to debrief the other units. Deputy Rubalcaba said they had been debriefing about 5-10 minutes when the suspect drove up and stopped in the southbound left turn lane on Central Avenue. He said the suspect was about 50-100 feet away from them. Deputy Rubalcaba said the suspect was saying something to the effect that they needed to drive faster.

Deputy Rubalcaba said he communicated to the other deputies that he was the suspect with the gun. He said he pulled his weapon and began "aggressing" the suspect. To his left was Sergeant [redacted] who also was approaching the suspect. Deputy Rubalcaba explained his reason for approaching the suspect in the following response (Refer to page 12 of his IAB transcripts):

Allen: Now you said you were aggressing him, you had your gun out, you were aggressing him, is that something you, you've trained to do or been trained at doing or...?

Rubalcaba: This situation was very dynamic. I don't think anybody ever trained for anything that happened that night. In my experience from being in situations with other deputies, being at other shootings, hearing about other people, when you are lackadaisical and you are not aggressive, that's when things go bad. So in my experience, I, I always, I always take the aggressive, aggressive point.

Deputy Rubalcaba said he made it to the center of the northbound lanes when the suspect drove off southbound on Central Avenue. Deputy Rubalcaba said he ran back to his car and they drove southbound on Central Avenue. He said the suspect was already out of view. He heard the suspect's location being updated by either the airship or another unit on L-Tac. He recognized the suspect was going the same route as in the earlier pursuit. Deputy Rubalcaba said they went to Central Avenue and El Segundo Boulevard to see if they would see the suspect.

Deputy Rubalcaba said the suspect sped passed them and they initiated another pursuit. He said the pursuit went at various speeds as the suspect would speed up and slow down. Just before the train tracks near Athens Way, Deputy Rubalcaba said the motorcycle slowed down and hit Deputy Boardman's opened door. After they made contact, Deputy Rubalcaba said the suspect drove off at a high rate of speed. His said the motorcycle was wobbling and went airborne as it went over the train tracks.

IAB Note: The damage to Deputies Boardman and Rubalcaba's Radio car is depicted in the photos **[Exhibit H].**

Deputy Rubalcaba said at the end of the pursuit, the suspect put the motorcycle down on the ground. They stopped about 25 feet behind the suspect. He said the suspect began backing away next to the parked cars on the south side of the street. He said he was advancing toward the suspect with his gun out and Deputy Boardman was advancing with him.

IAB Note: The path Deputy Rubalcaba took as he advanced toward the suspect is depicted in the photo **[Exhibit I].**

As the suspect was backing up, Deputy Rubalcaba said he was removing his helmet and gloves. He said the suspect began to "mess" with the front of his jacket, and then he reached behind his back. Deputy Rubalcaba said the suspect brought his hand forward clinching a gun in a "shooter's fist." Believing the suspect was going to shoot Deputy Boardman or him, Deputy Rubalcaba said he fired several rounds at the suspect. He said the suspect was still retreating and he believed he had missed the suspect. Deputy Rubalcaba said he fired several more rounds until the suspect went to his knees and fell forward.

Miscellaneous

IAB Lieutenant Alicia Ault checked to see that the Watch Commander, Lieutenant Victor Clay took reasonable steps to ensure that the involved parties and witnesses did not discuss the incident among themselves or with uninvolved persons prior to being interviewed by the assigned investigators, as well as the involved parties and witnesses personnel did not collectively consult with their attorney or representative. In addition, Lieutenant Ault checked to see if the watch commander attempted to have the involved parties and witness personnel gather in the company of a supervisor until they have provided a statement to the assigned investigators.